



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mark A. Burgdorf
Burgdorf & Associates Wealth Managers, Inc.
6001 Old Collinsville Road
Bldg 2, Suite A
Fairview Heights, IL 62208

DEC - 5 2017

RE: MUR 7007
Burgdorf & Associates
Wealth Managers, Inc.

Dear Mr. Burgdorf:

On February 12, 2016, the Federal Election Commission ("Commission") notified Burgdorf & Associates Wealth Managers, Inc., of a Complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. A copy of the Complaint was forwarded to you at that time. On November 7, 2017, based upon the information contained in the Complaint, and information provided by you, the Commission found that there is no reason to believe that Burgdorf & Associates Wealth Managers, Inc., violated 52 U.S.C. § 30118(a). Accordingly, the Commission has closed the file in this matter as it pertains to Burgdorf & Associates Wealth Managers, Inc.

The Commission reminds you that the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed. The Factual and Legal Analysis, which more fully explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact Roy Q. Lockett, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Mark Allen
Assistant General Counsel

Enclosure
Factual and Legal Analysis

18044444081

1 **FEDERAL ELECTION COMMISSION**

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3 **FACTUAL AND LEGAL ANALYSIS**

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6 **RESPONDENT:** Burgdorf and Associates Wealth Managers, Inc.

MUR: 7007

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8 **I. INTRODUCTION**

9 This matter was generated based on information ascertained by the Federal Election
10 Commission (the "Commission") in the normal course of carrying out its supervisory
11 responsibilities, and by a Complaint filed by Richard Stubblefield. As set forth below, the
12 Commission finds no reason to believe that Burgdorf and Associates Wealth Managers, Inc.
13 ("Respondent") violated 52 U.S.C. § 30118(a), a provision of the Federal Election Campaign Act
14 of 1971, as amended (the "Act"), by making a prohibited contribution.

15 **II. FACTUAL BACKGROUND**

16 The Complaint alleges that on December 31, 2015, Respondent, a corporation, made a
17 prohibited \$250 contribution to Kyle McCarter for Congress Committee ("Committee"), the
18 principal campaign committee for McCarter, who sought the Republican nomination in the 15th
19 Congressional District in Illinois in 2016. Twenty-eight days later, on January 28, 2016, the
20 Committee refunded \$250 to Respondent.

21 Burgdorf and Associates Wealth Managers, Inc. acknowledges in response to the
22 Complaint that it made an improper contribution that the Committee refunded.¹

¹ Burgdorf and Associates Wealth Managers, Inc. Resp. at 1 (Mar. 14, 2016).

III. LEGAL ANALYSIS

The Act and Commission regulations prohibit corporations from making contributions to candidate committees.² Contributions that present genuine questions as to whether they are prohibited may be, within ten days of receipt, deposited into a campaign depository or returned to the contributor.³ If such contribution is deposited and cannot be determined to be legal, the treasurer shall, within thirty days from receipt of the contribution, refund the contribution to the contributor.⁴

The available record indicates that the prohibited contribution that Respondent made was timely refunded by the Committee within thirty days of its receipt of the contribution.

Accordingly, the Commission finds no reason to believe that Burgdorf and Associates Wealth Managers, Inc. violated 52 U.S.C. § 30118(a) by making a prohibited contribution.

² 52 U.S.C § 30118(a); 11 C.F.R. § 114.2(b), (d).

³ See 11 C.F.R. § 103.3(b)(1).

⁴ *Id.*